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EXAMINER

SHORTLEDGE, THOMAS E

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 03/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/964,649

Applicant(s)

OKURA ET AL.

Examiner

Thomas E. Shortledge

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-6,8,10,11,14-16,18,20,21,24-26,28,30 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This communication is in response to Remarks, filed 10/17/2005.
2. Claims 1-31 are pending. Claims 1, 2, 4, 7, 11, 12, 14, 15, 21-30 and 31 have been amended. Claims 1, 11, 21 and 31 are independent.
3. The objection to claims 2-5, 7, 12, 14-15, 17, 20-23, 27 and 29-30 has been withdrawn in accordance with the applicants' amendments.
4. The 35 USC 101 non-statutory rejection of claims 21-30 has been withdrawn in accordance with the applicants' amendments.

Response to Arguments

5. Applicant's arguments with respect to claims 1, 4-6, 10-11, 14-16, 20-21, 24-26 and 30-31 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

6. Claims 2-3, 7, 9, 12-13, 17, 19, 22-23, 27 and 29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 recites the limitation "the original/translation words or original/translation patterns," "said analyzed original/translation sentences" in lines 14-17. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1, 4-6, 10-11, 14-16, 20-21, 24-26 and 30-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Takeda et al. (5,826,220).

As to claims 1, 11, 21 and 31, Takeda et al. teach

an interface unit which issues input and output instructions regarding an input of a translation target document, an output of a translated document, and a translation control (Fig. 10, elements, 1, 4 and 5);

a machine translating apparatus, which translates a document in a certain language into a document in another language (a machine translation process to translate a document, col. 5, lines 25-28);

an original/translation database in which original/translation information has been accumulated (a translation dictionary unit and a learning dictionary control unit, col. 5, lines 20-23);

a translation memory device which supports work for translating a document in a certain language into a document in another language by searching said original/translation database (a learning dictionary, used for translating a document from one language to another by searching the translation databases both the original and learned, col. 6, lines 17-34);

a data compatible processing unit which makes the original/translation information translated by said machine translating apparatus and the original/translation information translated by said translation memory device common (*storing both the translation from the machine translation process and the translation memory, col. 6, lines 10-32*), and enables those information to be mutually fetched as original/translation information (*updating the learning dictionary, col. 6, lines 20-25*), said data compatible processing unit extracts the original/translation words or original/translation patterns from said analyzed original/translation sentences, and adds them into a dictionary of said

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machine translating apparatus (*updating the learning dictionary to be used by the machine translation process, where the updated information includes information from the analyzed sentences that have translated, col. 6, lines 16-32*).

As to claim 4, 14 and 24, Takeda et al. teach:

a similar sentence translating unit constructed in a manner such that when said translation memory device is requested to translate (a translation system for translating sentences, col. 5, lines 24-32, and col. 6, lines 10-25);

similar sentences are searched by searching said original/translation database on the basis of an input sentence, the input sentence is sent to the said machine translating apparatus (each sentence is subject of the machine translation process, col. 5, lines 25-27);

an analysis result is obtained, a search result of said original/translation database is compared with the analysis result obtained from said machine translating apparatus (analyzing the sentence, and searching the translation database and compared to the analysis result, col. 5, lines 50-65);

different input words are sent to said machine translating apparatus, original/translation words are obtained (words to be translated are sent to the translation dictionary, col. 5, lines 50-65); and

the different words of original/translation similar sentences are replaced with the obtained original/translation words (the translated words are placed back into the sentence for translation, col. 5, lines 50-65).

As to claims 5, 15 and 25, Takeda et al. teach a structure searching unit which sends a search input sentence of said translation memory device to said machine translating apparatus via said data compatible processing unit, obtains an analysis result, searches original/translation sentences having similar structures from said analyzed original/translation sentence database by using said analysis result as a search key, and allows them to be displayed (a translation unit for analyzing a sentence to be translated, searching a database of sentences having similar context and structures for the words to be translated based on translation rules, col. 5, lines 45-60).

As to claims 6, 16 and 26, Takeda et al. teach an expression searching unit which searches examples of the actual use of a designated word and displays them (searching a database for translations, and displaying the translations, (col. 5, lines 45-60 and fig. 10, element 8).

As to claims 10, 20 and 30, Takeda et al. teach an original sentence display unit which displays a translation target sentence, a system output display unit which displays a translated sentence, and a translation editing unit which issues an editing instruction (Fig. 10, elements 8, 7, 3 and 4).

Claim Rejections - 35 USC § 103

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10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 8, 18 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeda et al. as applied to claims 1, 11 and 21 above, and further in view of Sugiyama et al. (6,345,245).

As to claims 8, 18 and 28, Takeda et al. do not teach comprising an abstract forming unit which displays an outline of the translation target document before translation.

However, Sugiyama et al. teach creating an abstract from a translation unit.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Takeda et al. with the teaching of Sugiyama et al. to allow a user to see a partial translation before fully completing the translation.

Allowable Subject Matter

12. The following is a statement of reasons for the indication of allowable subject matter:

As to claims 2, 12 and 22, Takeda et al. teach a machine translation system with a translation memory, where translations are stored and later used by a translation process. Takeda et al. do not teach adding the original/translating sentences obtained by said machine translating apparatus or sentences obtained by correcting the original/translation sentences obtained by said translation memory device into said original/translation sentence database, adding the original/translation sentences obtained by said translation memory device or original/translation sentences translated by the user into said original/translation sentence database, nor adding analyzed original/translation sentences obtained by analyzing the original/translation sentences into said analyzed original/translation sentence database.

Claims 3, 13 and 23 would be allowable since they depend from claims 2, 12 and 22.

As to claims 7, 17 and 27, Takeda et al. do not teach a confidence degree setting unit constructed in a manner such that when a sentence is simultaneously translated by said translation memory device and said machine translating apparatus, with respect to an output display of translation candidates added with marks indicative of confidence degrees from said translation memory device, marks indicative of confidence degrees are added to translated sentence candidates outputted from said machine translating apparatus, and said candidates with the marks are displayed.

As to claims 9, 19 and 29, Takeda et al. do not teach an outline calculating unit which calculates document information including the number of characters, the number of words, expressions, and the Like of the translation target document and allows them to be displayed in order of appearance frequencies.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas E. Shortledge whose telephone number is (571)272-7612. The examiner can normally be reached on M-F 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571)272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER

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03/01/2006